



General Assembly

February Session, 2014

Raised Bill No. 5562

LCO No. 2600



Referred to Committee on EDUCATION

Introduced by:
(ED)

AN ACT CONCERNING SPECIAL EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) Not later than January 1, 2015, the
2 Department of Education shall add "SLD - Dyslexia" under "Specific
3 Learning Disabilities" in the "Primary Disability" section of the
4 individualized education program form used by planning and
5 placement teams for the provision of special education and related
6 services to children requiring special education and related services.

7 Sec. 2. Subparagraph (D) of subdivision (8) of subsection (a) of
8 section 10-76d of the 2014 supplement to the general statutes is
9 repealed and the following is substituted in lieu thereof (*Effective from*
10 *passage*):

11 (D) Immediately upon the formal identification of any child as a
12 child requiring special education and at each planning and placement
13 team meeting for such child, the responsible local or regional board of
14 education shall inform the parent or guardian of such child or
15 surrogate parent or, in the case of a pupil who is an emancipated

16 minor or eighteen years of age or older, the pupil of (i) the laws
17 relating to special education, (ii) the rights of such parent, guardian,
18 surrogate parent or pupil under such laws and the regulations adopted
19 by the State Board of Education relating to special education, including
20 the right of a parent, guardian or surrogate parent to withhold
21 enrolling such child in kindergarten, in accordance with the provisions
22 of section 10-184, and (iii) any relevant information and resources
23 relating to individualized education programs created by the
24 Department of Education. If such parent, guardian, surrogate parent or
25 pupil does not attend a planning and placement team meeting, the
26 responsible local or regional board of education shall mail such
27 information to such person.

28 Sec. 3. Subsection (b) of section 10-76g of the 2014 supplement to the
29 general statutes is repealed and the following is substituted in lieu
30 thereof (*Effective July 1, 2014*):

31 (b) Any local or regional board of education which provides special
32 education pursuant to the provisions of sections 10-76a to 10-76g,
33 inclusive, for any exceptional child described in subparagraph (A) of
34 subdivision (5) of section 10-76a, under its jurisdiction, excluding (1)
35 children placed by a state agency for whom a board of education
36 receives payment pursuant to the provisions of subdivision (2) of
37 subsection (e) of section 10-76d, and (2) children who require special
38 education, who reside on state-owned or leased property, and who are
39 not the educational responsibility of the unified school districts
40 established pursuant to sections 17a-37, 17a-240 and 18-99a, shall be
41 financially responsible for the reasonable costs of special education
42 instruction, as defined in the regulations of the State Board of
43 Education, in an amount equal to (A) for any fiscal year commencing
44 prior to July 1, 2005, five times the average per pupil educational costs
45 of such board of education for the prior fiscal year, determined in
46 accordance with the provisions of subsection (a) of section 10-76f, [and]
47 (B) for the fiscal [year] years commencing July 1, 2005, [and each fiscal
48 year thereafter] to July 1, 2013, inclusive, four and one-half times such

49 average per pupil educational costs of such board of education, and
50 (C) for the fiscal year commencing July 1, 2009, and each fiscal year
51 thereafter, within available appropriations, (i) ten per cent of the per
52 pupil costs that are equal to or in excess of four and one-half times
53 such average per pupil educational costs of such board of education,
54 (ii) forty per cent of the per pupil costs that are equal to or in excess of
55 three times such average per pupil educational costs of such board of
56 education, but are less than four and one-half times such average per
57 pupil educational costs of such board of education, and (iii) seventy
58 per cent of the per pupil costs that are equal to or in excess of one and
59 one-half times such average per pupil educational costs of such board
60 of education, but are less than three times such average per pupil
61 educational costs of such board of education. The State Board of
62 Education shall pay on a current basis any costs in excess of the local
63 or regional board's basic contribution, paid by such board in
64 accordance with the provisions of subparagraph (C) of subdivision (2)
65 of this subsection, as follows: (I) Ninety per cent of the per pupil costs
66 that are equal to or in excess of four and one-half times such average
67 per pupil educational costs of such board of education, (II) sixty per
68 cent of the per pupil costs that are equal to or in excess of three times
69 such average per pupil educational costs of such board of education,
70 but are less than four and one-half times such average per pupil
71 educational costs of such board of education, and (III) thirty per cent of
72 the per pupil costs that are equal to or in excess of one and one-half
73 times such average per pupil educational costs of such board of
74 education, but are less than three times such average per pupil
75 educational costs of such board of education. Any amounts paid by the
76 State Board of Education on a current basis pursuant to this subsection
77 shall not be reimbursable in the subsequent year. Application for such
78 grant shall be made by filing with the Department of Education, in
79 such manner as prescribed by the commissioner, annually on or before
80 December first a statement of the cost of providing special education
81 pursuant to this subsection, provided a board of education may
82 submit, not later than March first, claims for additional children or

83 costs not included in the December filing. Payment by the state for
84 such excess costs shall be made to the local or regional board of
85 education as follows: Seventy-five per cent of the cost in February and
86 the balance in May. The amount due each town pursuant to the
87 provisions of this subsection shall be paid to the treasurer of each town
88 entitled to such aid, provided the treasurer shall treat such grant, or a
89 portion of the grant, which relates to special education expenditures
90 incurred in excess of such town's board of education budgeted
91 estimate of such expenditures, as a reduction in expenditures by
92 crediting such expenditure account, rather than town revenue. Such
93 expenditure account shall be so credited no later than thirty days after
94 receipt by the treasurer of necessary documentation from the board of
95 education indicating the amount of such special education
96 expenditures incurred in excess of such town's board of education
97 budgeted estimate of such expenditures.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	10-76d(a)(8)(D)
Sec. 3	<i>July 1, 2014</i>	10-76g(b)

Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	10-76d(a)(8)(D)
Sec. 3	<i>July 1, 2014</i>	10-76g(b)

Statement of Purpose:

To include dyslexia on the individualized education program form, to require boards of education to inform parents and guardians of their right to withhold enrolling their child in kindergarten and to create a three tier funding scheme for excess cost payments.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]